
From: Charles Boyd <CharlesB@Safechain.com>
Sent: Mon 12/7/2020 8:37:52 PM (UTC)
To: Abbie Divilio <AbbieD@Safechain.com>, "Martha M. Rumore" <mrumore@frierlevitt.com>
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: Gilead - Biktarvy information

Please leave out our vendors licenses #. Thanks guys!



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From: Abbie Divilio <AbbieD@Safechain.com>
Sent: Monday, December 7, 2020 3:26 PM
To: Martha M. Rumore <mrumore@frierlevitt.com>; Charles Boyd <CharlesB@Safechain.com>
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: Gilead - Biktarvy information

Hello Martha,

The previous questions were more for our clarification and to understand your process. We will take whatever suggestions you have, if you think things should be left as is, we are happy to follow suit. I think leaving the statement about third party manufacturers is fine. As far as providing the T3, we would prefer not to. We would like for you to include a statement confirming the invoice they have on hand from White Cross Pharmacy, and that we are purchasing from an authorized trading partner – license number CSW.0004576, if needed.

Please let me know what else you might need.

Thank you,



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From: Martha M. Rumore <mrumore@frierlevitt.com>
Sent: Friday, December 4, 2020 5:45 PM

GOVERNMENT
EXHIBIT

207

1:24-cr-20255-WPD

To: Abbie Divilio <AbbieD@Safechain.com>; Charles Boyd <CharlesB@Safechain.com>

Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: Gilead - Biktarvy information

Hi Charlie and Abbie:

The point of asking for their FDA records is exactly that. They failed to do what they were required to do. Once they made a determination the product was illegitimate, they had 24 hours to notify FDA and their trading partners of that. The fact they failed to do so, does not place the burden on you (which they are attempting to do). However, I can remove that wording from both paragraphs.

I reworded the section about the third party manufacturers. Gilead needed to investigate and check back with their manufacturers. Just letting them know that you are aware of this. But we can remove this language as well.

As far as not supplying the T3 we can 1) acknowledge that the invoice they already have is correct; 2) refuse to provide for the reason you mentioned, 3) state that you purchased from an authorized trading partner (I'm assuming Gentek has a wholesale license), or we can indicate the license number of your supplier is listed in the FDA database of authorized wholesalers (I am sure you checked this already) and see what happens.

My thinking is while your obligation is to supply T3 is downstream, Gilead can actually obtain that information from White Cross Pharmacy. Not sure how you want to handle.

I can hop on a call Monday if you want to discuss further.

Best,
Martha

Martha M. Rumore, PharmD, MS, JD, LLM
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From: Abbie Divilio <AbbieD@Safechain.com>

Sent: Friday, December 4, 2020 4:07 PM

To: Martha M. Rumore <mrumore@frierlevitt.com>; Charles Boyd <CharlesB@Safechain.com>

Subject: [EXTERNAL]RE: [EXTERNAL]RE: Gilead - Biktarvy information

Good afternoon Martha,

I have attached the letter with some comments and clarification in bold blue. Charlie and I chatted a bit about this today and had a few other comments we would like your feedback on:

- Do we really want to request a copy of their FDA records when it is likely there will not be any? What obligation will that hold us to? Additional reporting?
- We have no previous knowledge that their drugs are manufactured by a third party, is this valuable to reference?

We would prefer not to include a copy of the T3 exposing our vendors without their consent. How can we approach that?

Thank you and have a nice weekend!



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From: Martha M. Rumore <mrumore@frierlevitt.com>

Sent: Friday, December 4, 2020 1:05 PM

To: Charles Boyd <CharlesB@Safechain.com>

Cc: Abbie Divilio <AbbieD@Safechain.com>

Subject: RE: [EXTERNAL]RE: Gilead - Biktarvy information

Hi Charlie:

Attached please find the Draft Letter to Gilead. Let me know if you want to discuss and/or send me an email with comments or if OK to send. I have a Client Hearing from 3-4 but am free other times.

Best,

Martha

Martha M. Rumore, PharmD, MS, JD, LLM
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From: Charles Boyd <CharlesB@Safechain.com>
Sent: Friday, December 4, 2020 10:06 AM
To: Martha M. Rumore <mrumore@frierlevitt.com>
Cc: Abbie Divilio <AbbieD@Safechain.com>
Subject: [EXTERNAL]RE: Gilead - Biktarvy information

Hi Martha,

I just wanted to follow up on this since they requested a response by Monday. Please let us know if you have any questions. Thanks!

Charlie



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From: Charles Boyd
Sent: Wednesday, November 25, 2020 3:38 PM
To: Martha M. Rumore <mrumore@frierlevitt.com>
Cc: Abbie Divilio <AbbieD@Safechain.com>
Subject: FW: Gilead - Biktarvy information
Importance: Low



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From: Abbie Divilio <AbbieD@Safechain.com>
Sent: Wednesday, November 25, 2020 3:30 PM
To: Charles Boyd <CharlesB@Safechain.com>
Subject: Gilead - Biktarvy information
Importance: Low

Good afternoon,

After sorting through various emails and information I believe we have three things going on here. 1.) White Cross pharmacy has dispensed a bottle of Biktarvy (lot CCXKVA) which is in question by Gilead and was sold by us. 2.) We inquired about Biktarvy (lot CCPDPA) to verify in August because someone complained about the packaging. 3.) We inquired about Biktarvy (Lot CDGXKA) in October, while we attempted to verify the T3 and expiration date. Biktarvy (lot CCPDPA) was verified to be a legitimate product by Gilead in August (8/19/20) CB responded that we were investigating a customer complaint (White cross claimed this bottle contained Seroquel ER 300), which is the attachment entitled 'Biktarvy lot CCPDA complaint convo'

In early October (10/6/2020) we attempted to verify a transaction on the T3, Rochester Drug from Gilead. We were unable to because RD is closed, we had the conversation in 'Biktarvy CDGXKA information' We were attempting to verify this product because it was sold in 2018. We were looking for some information regarding expiration date and trying to understand the validity of the T3s we had received since some of the drugs were purchased over 2 years

ago.

After reviewing our records, I do not see any conversations related to the lot number (CCXKVA) which is referenced in the letter from Gilead. I only see that the of the two lots we inquired about, one was verified and one was inconsistent with their records.

Let me know if you need additional information. I have had Dakota start to pull the T3s together as well. This situation and lot numbers do NOT address the issue with Biktarvy and WW customer Medicine Shoppe, which is the other customer we have taken a return for.



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